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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,653	06/04/2001	Douglas Gerald Dunlap	10002842-1	4264

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EXAMINER

HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/873,653

Applicant(s)

DUNLAP, DOUGLAS GERALD

Examiner

Peter K. Huntsinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/04/01, 2/26/03</u> | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-10, 12-17, and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer.

Referring to claim 1, Fischer discloses a method of selecting a printer from a plurality of printers to fulfill a print job of a user, the method comprising the steps of: registering a printing capability of the printers (S1 of Fig. 2, col. 3, lines 65-67); receiving a print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3); and presenting the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-14). Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user. Compiling a list of capable printers would be necessary before presenting the list to the user, otherwise the suggestion of capable printers could not be made.

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Referring to claim 2, Fischer discloses the method of claim 1, wherein the step of registering the printing capability includes registering the printing capability of the printers with a printer selection system controller (computer 20 of Fig. 1, col. 3, lines 49-62) (S1 of Fig. 2, col. 3, lines 65-67), wherein the step of receiving the print request includes receiving the print request for the print job from the user at the printer selection system controller (S4 of Fig. 3, col. 4, lines 48-49), and wherein the step of determining which of the printers have the printing capability to fulfill the print job includes determining via the printer selection system controller which of the printers have the printing capability to fulfill the print job (S5-S6 of Fig. 3, col. 4, lines 57-65).

Referring to claim 3, Fischer discloses the method of claim 2, further comprising the step of: linking the user and the printer selection system controller via a communication link (col. 3, lines 57-61), wherein the step of presenting the list includes presenting the list of the at least one of the printers to the user via the communication link. Fischer does not explicitly disclose presenting the list to the user via the communication link. For the list to be presented to the user, there must be a means to direct the list to the user. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having output devices and communication hardware, which are common means to direct information from a computer to a user. Output devices and communication hardware function as communication links.

Referring to claim 4, Fischer discloses the method of claim 2, further comprising the step of: receiving a printer selection for the print job from the user

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at the printer selection system controller, wherein the printer selection includes a selected printer from the list of the at least one of the printers (S9 of Fig. 3, col. 5, lines 25-26).

Referring to claim 5, Fischer discloses the method of claim 4, further comprising the step of: linking the user and the printer selection system controller via a communication link (col. 3, lines 57-61), wherein the step of receiving the printer selection includes receiving the printer selection for the print job from the user via the communication link. Fischer does not explicitly disclose receiving the printer selection from the user via the communication link. For the printer selection to be received from the user, there must be a means to direct the printer selection to the controller. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having input devices and communication hardware, which are common means to direct information from a user to a computer. Input devices and communication hardware function as communication links.

Referring to claim 6, Fischer discloses the method of claim 4, further comprising the step of: distributing the print request to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 7, Fischer discloses the method of claim 6, further comprising the step of: linking the printers and the printer selection system controller via a communication link (communication cable 32 of Fig. 1, col. 3, lines 37-40), wherein the step of distributing the print request includes distributing the print request to the selected printer via the communication link. Fischer does not explicitly disclose distributing the printer request to the selected printer via the

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communication link. For the print request to be received at the printer, there must be a means to direct the print request to the printer. Fischer discloses a communication cable, which is a common means to direct information from a controller to a printer, and functions as a communication link.

Referring to claim 8, Fischer discloses the method of claim 1, further comprising the step of: presenting to the user a user interface including at least one input field representing at least one option for the print job, wherein the step of receiving the print request includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 9, Fischer discloses the method of claim 1, wherein the step of receiving the print request includes receiving at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive option for the print job (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 10, Fischer discloses the method of claim 2, further comprising the step of: linking the user and the printer selection system controller via a communication link (col. 3, lines 57-61), wherein the step of receiving the print request includes receiving the print request for the print job from the user via the communication link. Fischer does not explicitly disclose receiving the print request from the user via the communication link. For the print request to be received from the user, there must be a means to direct the print request to the controller. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines

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49-62) having input devices and communication hardware, which is a common means to direct information from a user to a computer. Input devices and communication hardware function as communication links.

Referring to claim 12, Fischer discloses the method of claim 2, further comprising the step of: linking the printers and the printer selection system controller via a communication link (communication cable 32 of Fig. 1, col. 3, lines 37-40), wherein the step of registering the printing capability includes registering the printing capability of the printers with the printer selection system controller via the communication link. Fischer does not explicitly disclose registering the printing capacity via the communication link. For the print capacity to be received at the controller, there must be a means to direct the printing capacity from the printer to the controller. Fischer discloses a communication cable, which is a common means to direct information from a printer to a controller, and functions as a communication link.

Referring to claim 13, Fischer discloses the method of claim 1, wherein the step of registering the printing capability (S1 of Fig. 2, col. 3, lines 65-67) includes registering at least one of an identification, a print medium capability, a print quality capability, a printing layout capability, a color printing capability, a finishing capability, a printing speed, a printer queue, and an archive printing capability of the printers (col. 4, lines 51-55).

Referring to claim 14, Fischer discloses a computer-readable medium having computer-executable instructions for performing a method of selecting a printer from a plurality of printers to fulfill a print job of a user (col. 1, lines 58-65),

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the method comprising the steps of: registering a printing capability of the printers (S1 of Fig. 2, col. 3, lines 65-67); receiving a print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49); determining which of the printers have the printing capability to fulfill the print job, including comparing the print request for the print job with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65); compiling a list of at least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3); and presenting the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-14). Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user. Compiling a list of capable printers would be necessary before presenting the list to the user, otherwise the suggestion of capable printers could not be made.

Referring to claim 15, Fischer discloses the computer-readable medium of claim 14, wherein the method further comprises: receiving a printer selection for the print job from the user, wherein the printer selection includes a selected printer from the list of the at least one of the printers (S9 of Fig. 3, col. 5, lines 25-26).

Referring to claim 16, Fischer discloses the computer-readable medium of claim 15, wherein the method further comprises: distributing the print request to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 17, Fischer discloses the computer-readable medium of claim 14, wherein the method further comprises: presenting to the user a user interface including at least one input field representing at least one option for the



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print job, wherein receiving the print request includes receiving at least one attribute for the print job as specified with the at least one input field of the user interface (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 19, Fischer discloses a system for selecting a printer from a plurality of printers to fulfill a print job of a user, the system comprising: a memory device (memory 28 of Fig. 1) configured to have a printing capability of the printers stored therein (col. 4, lines 30-33); and a processor (processor 30 of Fig. 1) adapted to compare a print request for the print job with the printing capability of the printers to determine which of the printers have the printing capability to fulfill the print job (S5-S6 of Fig. 3, col. 4, lines 57-65), wherein the processor is adapted to compile a list of at least one of the printers which has the printing capability to fulfill the print job (S8 of Fig. 3, col. 5, lines 7-9). Fischer does not explicitly disclose compiling the list of capable printers before presenting the list to the user. Compiling a list of capable printers would be necessary before presenting the list to the user, otherwise the suggestion of capable printers could not be made.

Referring to claim 20, Fischer discloses the system of claim 19, wherein the memory device and the processor are included in a printer selection system controller (computer 20 of Fig. 1, col. 3, lines 49-62), wherein the printer selection system controller is adapted to receive the print request for the print job from the user (S4 of Fig. 3, col. 4, lines 48-49) and present the list of the at least one of the printers to the user (S8 of Fig. 3, col. 5, lines 7-9).

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Referring to claim 21, Fischer discloses the system of claim 20, further comprising: a communication link configured to link the printer selection system controller and the user (col. 3, lines 57-61), wherein the printer selection system controller is adapted to receive the print request for the print job from the user via the communication link and present the list of the at least one of the printers to the user via the communication link. Fischer does not explicitly disclose receiving the print request or presenting the list to the user via the communication link. For the controller to interact with the user, there must be a means to direct information between the controller and the user. Fischer discloses the controller (computer 20 of Fig. 1, col. 3, lines 49-62) having input devices, output devices, and communication hardware, which are common means to direct information between a computer and a user. Input devices, output devices, and communication hardware function as communication links.

Referring to claim 22, Fischer discloses the system of claim 20, wherein the printer selection system controller is adapted to receive a printer selection for the print job from the user, the printer selection including a selected printer from the list of the at least one of the printers (S9 of Fig.3, col. 5, lines 25-26), wherein the printer selection system controller is adapted to distribute the print request for the print job to the selected printer (S10 of Fig. 3, col. 5, lines 27-32).

Referring to claim 23, Fischer discloses the system of claim 22, further comprising: a communication link configured to link the printer selection system controller and the printers (communication cable 32, col. 3, lines 37-40), wherein the printer selection system controller is adapted to distribute the print request for

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the print job to the selected printer via the communication link. Fischer does not explicitly disclose distributing the print job via the communication link. For the print job to be received at the printer, there must be a means to direct the print job from the controller to the printer. Fischer discloses a communication cable, which is a common means to direct information from a controller to a printer, and functions as a communication link.

Referring to claim 24, Fischer discloses the system of claim 23, wherein the printer selection system controller is adapted to receive the printing capability of the printers from the printers via the communication link (communication cable 32, col. 3, lines 37-40). Fischer does not explicitly disclose receiving the printing capacity via the communication link. For the print capacity to be received at the controller, there must be a means to direct the printing capacity from the printer to the controller. Fischer discloses a communication cable, which is a common means to direct information from a printer to a controller, and functions as a communication link.

Referring to claim 25, Fischer discloses the system of claim 19, wherein the printing capability of the printers includes at least one of an identification, a print medium capability, a printing quality capability, a printing layout capability, a color printing capability, a finishing capability, a printing speed, a printer queue, and an archive capability of the printers (col. 4, lines 48-55).

Referring to claim 26, Fischer discloses the system of claim 19, further comprising: a user interface including at least one input field representing at least one option for the print job, wherein the user interface includes at least one of a

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number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive field (S4 of Fig. 3, col. 4, lines 48-55).

Referring to claim 27, Fischer discloses the system of claim 19, wherein the print request includes at least one of a number of copies, a print medium, a printing quality option, a printing layout, a color printing option, a finishing option, a printer location, a printing priority, and an archive option for the print job (S4 of Fig. 3, col. 4, lines 48-55).

2. Claims 11, 18, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer as applied to claims 2, 14, and 20 above, and further in view of Mastie et al.

Referring to claim 11, Fischer discloses receiving the print request from the user at the printer selection system controller (S4 of Fig. 3, col. 4, lines 48-55) and comparing the print request with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65) but does not explicitly disclose associating a data file with a print job. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Fischer and Mastie et al. are combinable because they are from the same field of endeavor of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Fischer. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's

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applications. Therefore, it would have been obvious to combine Mastie et al. with Fischer to obtain the invention as specified in claim 11.

Referring to claim 18, Fischer discloses receiving the print request from the user at the printer selection system controller (S4 of Fig. 3, col. 4, lines 48-55) and comparing the print request with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65) but does not explicitly disclose associating a data file with a print job. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Fischer and Mastie et al. are combinable because they are from the same field of endeavor of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Fischer. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Fischer to obtain the invention as specified in claim 11.

Referring to claim 28, Fischer discloses receiving the print request from the user at the printer selection system controller (S4 of Fig. 3, col. 4, lines 48-55) and utilizing the processor to compare the print request with the printing capability of the printers (S5-S6 of Fig. 3, col. 4, lines 57-65) but does not explicitly disclose associating a data file with a print job. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Fischer and Mastie et al. are combinable because they are from the same field of endeavor of processing of printing data. At the time of the invention, it would have been

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obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Fischer. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Fischer to obtain the invention as specified in claim 11.

Referring to claim 29, Fischer discloses receiving the print selection from the user at the printer selection system controller (S9 of Fig.3, col. 5, lines 25-26) and distributing the print request to the selected printer (S10 of Fig. 3, col. 5, lines 27-32) but does not explicitly disclose associating a data file with a print job. Mastie et al. discloses associating a data file with a print job (col. 2, lines 60-62). Fischer and Mastie et al. are combinable because they are from the same field of endeavor of processing of printing data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to associate a data file with a print job as disclosed by Mastie et al. with the printer system of Fischer. The motivation for doing so would have been to provide complex fonts, graphics, and image handling capabilities required by today's applications. Therefore, it would have been obvious to combine Mastie et al. with Fischer to obtain the invention as specified in claim 11.

### ***Conclusion***

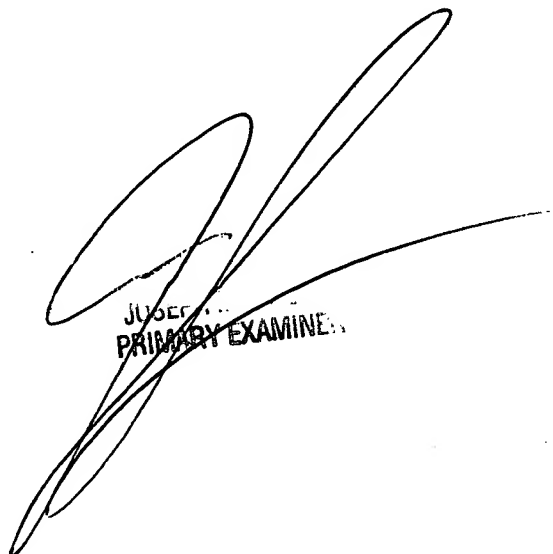
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (703)306-4088. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH



JOSEPH ...  
PRIMARY EXAMINEE